State of California State Water Resources Control Board

DIVISION OF WATER RIGHTS

STATE WATER RESOURCES P.O. Box 2000, Sacramento, CA 95812-2000 Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.go/CONTROL_EOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE 8-5 PM 3:25

Notify this office if ownership or address changes occur during the coming year.

DIV OF WATER RIGHTS

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000 SACRAMENTO

OWNER OF RECORD: LYONS INVESTMENT STATEMENT NO: S009333 BILL J LYONS JR 10555 MAZE BLVD MODESTO, CA 95358 SOURCE: STANISLAUS RIVER TELEPHONE NUMBER: TRIBUTARY TO: SAN JOAQUIN RIVER COUNTY: STANISLAUS (209) 522-1762 YEAR OF FIRST USE: 1950 **DIVERSION** WITHIN: SE' OF NE' SECTION, 9, T3S, R7E, MB&M. PARCEL NO: Other (explain); ______ Water is used under: Riparian claim Pre 1914 right _ Year of first use (Please provide if missing above) _ Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in X = some use in that month vi years 1995 + 96 also Andounts below are Gallons Other Acre-feet Total Year. Feb June July Sept Oct Nov Annual X. 1997 1998 1999 Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. acres; Stockwatering : Domestic Seese + Ducke-Water Fourd. Hunting Other (specify) Cattle Water <u>Changes in Method of Diversion</u> – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) Please answer only those questions below which are applicable to your project. Conservation of water Are you now employing water conservation efforts? YES YES NO Describe any water conservation efforts you have initiated: If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved: Reductions in Diversions: __ (af/mg) 19_ (af/mg) 19 (af/mg) Reductions in consumptive use: ___ (af/mg) 19_ _ (af/mg) 19_

1 have data to support the above surface water use reductions due to conservation efforts. YES _

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. Wate	er quality and wastewater	reclamation						
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þ.	If credit toward use unde polluted water in lieu of a "and amounts of reclaime	appropriated water is	appropriative claimed under	water right through section 1010 of the	substitution of i	reclaimed water please show am	desalinated wo ounts of reduce	ater or d diversions
	19 I have data to support th	(af/mg) 19_ ie above surface wate	er use reductio	ns due to wastewa	af/mg) 19 ter reclamation.	YES NO	(af/mg	g)
. Con	junctive use of surface wa	1				-	•	
a.	Are you now using groun		l l				n 3	
b.	If credit toward use unde	er a claimed pre 1914 011.5 of the Water Co	appropriative ode, please sh	right through substow the amounts of	titution of ground groundwater us	dwater in lieu of sed:	appropriated w	ater is
	19 I have data to support th	(af/mg) 19	<u> </u>	(af/mg) 19	V-50 NO	(af/m	g)
	I have data to support th	ne above surface water	eriuse reductio	ons due to conjunct	ive use efforts.	YES NO _	 .	
l decla	t in the future. are that the information in		he best of my l	knowledge and bel	ef.			, California
PRINT		(first name) If there is insufficient	*	(middle init.) r answers, please t	use the space p		ist name)	
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A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An <u>appropriative right</u> is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

-2

State of California State Water Resources Control Board DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000 STATE WATER RESOURCES Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca/EONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is maccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year. FLB - 5 PH 3: 25

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 200ACRAMENTO

OWNER OF RECORD: LYONS INVESTMENT

BILL J LYONS JR 10555 MAZE BLVD MODESTO, CA 95358

3

SOURCE: STANISLAUS RIVER

TRIBUTARY TO: SAN JOAQUIN RIVER

COUNTY: STANISLAUS



TELEPHONE NUMBER:

• •	DIVÈR WIT	SION HIN: S	E¼ OF	NE¼ SE	ECTION	9, T3S	S, R7E,	, MB&M			YEAR	OF FIREL NO:		E: 1950
A.	Water is u	sed under	: Riparian	claim	·	Pro	e 1914 rigt	nt		Other (explain):			
В.	Year of fire	st use (Pl	ease provi	de if missi	ng above)		-			• `			*	
C.	Amount of which water	<u>Use</u> – En er was use	ter the am	ount of wa	ter used e	each month	. If month		uai use ar	e not knov	/n, check	the month	s in	
			Amount	s below ar	e: G	allons		Acre-feet		Other				
	Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nou	T	Total
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D.	Purpose of	llee Sne			<u> </u>			<u> </u>		<u> </u>	<u> </u>			
	Purpose of													
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(Other (spec	ify)										_ ·		
- :. F	a. Aı	ver only the	ose quest water v emplovir	ions below	which are		e to your p	roject.	previous	statement	was filed.	(New pur	np,	
			ard benefic er section in Diversio		water und ie Water (ler claimed Code, pleas	pre 1914 are show the	appropriati e amounts	ve water r	ight for wa	ter not us	ed due to	a conserva	ition effort is
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2. Wa	er quality and wastewater reclamation
a.	Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste a degree which unreasonably affects such water for other beneficial uses? YES NO
b.	If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversion
	and amounts of reclaimed water used:
	19_s (af/mg) 19_ (af/mg) 19_ (af/mg) 19_ (af/mg) I have data to support the above surface water use reductions due to wastewater reclamation. YES NO
	I have data to support the above surface water use reductions due to wastewater reclamation. YES NO
3. Co	unctive use of surface water and groundwater
a.	Are you now using groundwater in lieu of surface water? YES VO NO NO
b.	If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:
	19 . (af/mg) 19 (af/mg) 19 , (af/mg)
	19(af/mg) 19(af/mg) 19(af/mg) I have data to support the above surface water use reductions due to conjunctive use efforts. YESNO
lunde	stand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 i
sough	in thè future.
l deci:	e that the information in this report is true to the best of my knowledge and belief.
DATE	Oct 27, 2000 at Modesto California, California, California
	2 00 9
	TURE: Dill Syons
PRIN	ED NAME: DI DYONS (first name) (middle init.) (last name)
	,
COM	ANYNAME: Lyons Investment
	If there is insufficient space for your answers, please use the space provided below.
ITEM	CONTINUATION
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	GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA
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SWRCB - Division of Water Rights

Application	9373	/
From: UR	7233	Date: 17 /2 7
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SUPPORT UNIT	Toy	Bitnoff
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STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

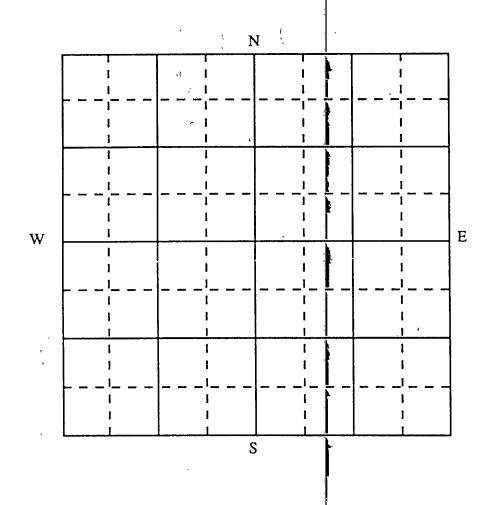
STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

А.	: Name of p	erson (divertir	ig wate	r I	yons	Inve	Sche	iles,	DITI	Ly CII.	<u> </u>	•	
	Address		1	0555_	Maze	Blvd	. Mc	odest	o, CA	953	358			
	,			,				Telep	phone:(209)_52	2-176	2	
В.	Water is u	sed un	der:	X	Riparia	n clair	n;	Pr	e 1914	right; _		Other	(expla	in)
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The location of the diversion point and the place of use may be sketched on this section grid. If it is used, please enter the section(s), township and range below and show any streams or other landmarks that will assist in identifying the area.



Section(s)				
Township	; Range	<u> </u>	;	B&M

INSTRUCTIONS:

A separate statement should be filed for each point of diversion.

A duplicate copy will be returned for your file.

Please send the completed statement to:

1

State Water Resources Control Board

Division of Water Rights

P. O. Box 2000

Sacramento, CA 95812-2000



Mape's Ran :h and Lyons' Investments

5-9333

10555 Maze Road Modesto, CA 95351

Office: (209) 522-1762 Home: (209) 521-5376

November 28, 1995

Division of Water Rights
Attn: Wynne Rowlands,
Associate Land and Water Use Analyst.

P.O. Box 2000 Sacramento, CA 95812-2000

Dear Sir:

We lease farm ground that is along side the Stanislaus River. Just recently our landlord **Helen K. Buffington**, at 10018 Beckwith Road, Modesto, informed us that the statement of Water Diversion and Use had been handled by John E. Phelps, her **former long term tenant**. We have leased ground from Mrs. Buffington **since 1982** and have **actively farmed** it to melons, winter wheat, oats, corn, beans and alfalfa. Mrs. Buffington has provided us the last known statement of Water Division and Use that Mr. Phelps filled out (**See Exhibit A**). Mrs. Buffington also provided us an information sheet and spot map which were provided to her from your office (**See Exhibit B & C**).

We apologize for not filling out the statements, it was our oversight and we assure you that we have actively farmed the land. We have also used the water for some wildlife enhancement projects. I have enclosed corrected copies of the statement of Water Diversion and Use, for the years of 1982 through 1995, to the best of my knowledge.

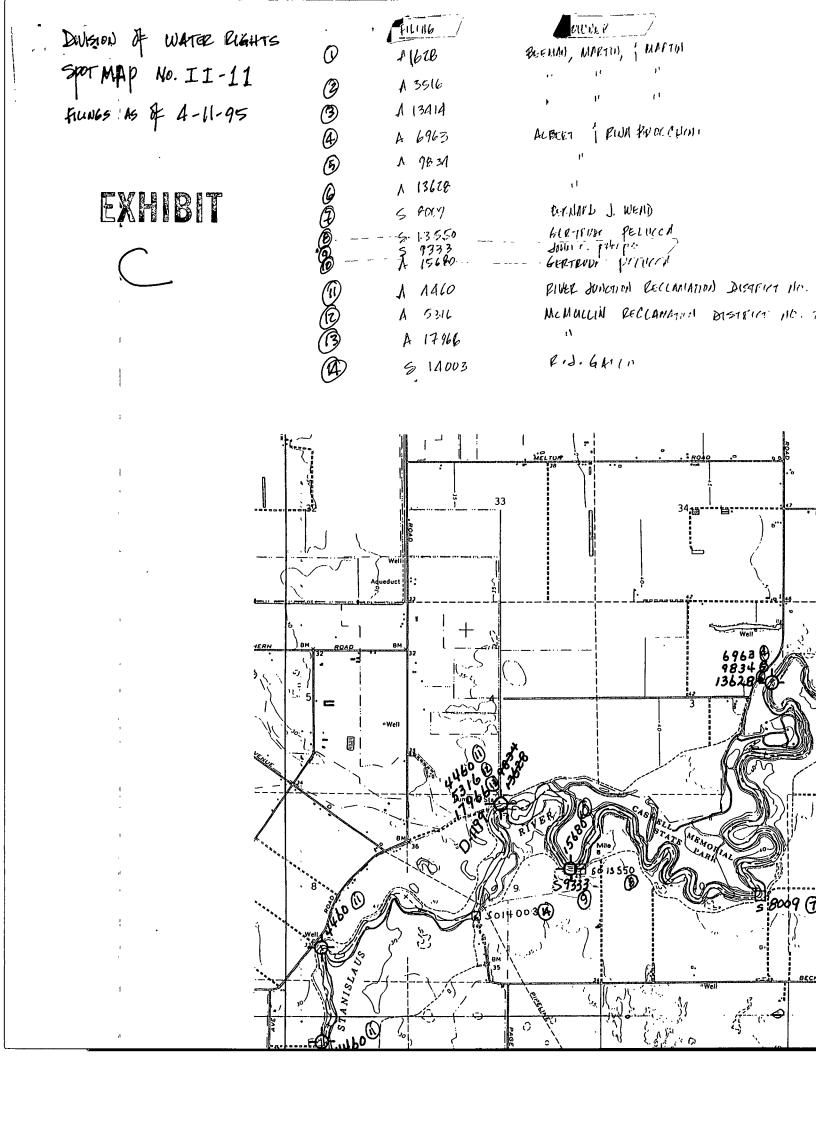
If you have any questions don't hesitate to contact me at (209) 522-1762. Please correct your records and remove John E. Phelps and replace with Lyons Investments. I have also, for your records, enclosed a notarized letter from Helen K. Buffington explaining the situation (See Exhibit D). Thank you in advance for your prompt attention to this matter.

Sincerely,

William (Bill) J. Lyons, (Jr.

WJL/cc

cc: Helen K. Buffington





Helen K. Buffington 10018 Beckwith Road Modesto, CA. 95358





Division of Water Rights
Attn: Wynne Rowlands,
Associate Land and Water Use Analyst
P.O. Box 2000
Sacramento, CA 95812-2000

Dear Sir:

John E. Phelps had been a long term tenant of mine and was responsible for filling out the statement of Water Diversion and Use. Since 1982, I have leased my land to Lyons Investments who have actively farmed the ground to a variety of crops. Please correct your records and replace John E. Phelps with Lyons Investments. They can be reached at (209) 522-1762, and please send any notices or statements to the following address:

Lyons Investments Attn: Bill Lyons, Jr. 10555 Maze Blvd. Modesto, CA 95358

Thank you, for your help.

Sincerely,

Date

cc: Lyons Investments

Helen K. Buffington

(916) 657-2046 FAX: (916) 657-1485

. . . .

APRIL 13 1995

In Reply Refer to:341:RMD:S9333

Sp 9333

Helen Buffington 10018 Beckwith Road Modesto, CA 95358

Dear Ms. Buffington:

STATEMENT OF WATER DIVERSION AND USE NO. S9333 STANISLAUS RIVER IN STANISLAUS COUNTY

This letter is to follow up our phone conversations on April 10 and 12, 1995 concerning your water rights for property you own along the lower Stanislaus River.

You made a similar request by letter dated January 30, 1978. A copy of your letter and our response dated February 27, 1978 are enclosed. Based on my review of our files with the general information you provided over the phone, it appears there are no significant changes since our 1978 response. Our records do not show any water rights currently owned by persons with the last name of "Buffington" or "Koetitz."

The Stanislaus River has been subject to adjudication proceedings. Accordingly, you may wish to see if your water rights are covered by the Stanislaus River Adjudication, Superior Court, San Joaquin County, Decree No. 16873.

Enclosed is a map and individual summaries of the owners and locations of the 14 water rights we have record of between Mile 3 and Mile 10 of the lower Stanislaus River. These include four claims of riparian rights (S8009, S9333, S13550, and S14003). We do not evaluate the validity of claims to riparian rights. Also, any contests to ownership of any of these rights are outside the jurisdiction of our office.

As we discussed, persons diverting water under claim of riparian rights or pre-1914 appropriative rights, with certain exceptions, are required to file a Statement of Water Diversion and Use (Statement) with our office. The Statement is not a water right, but simply a record of water use under a claim of riparian right. A Statement is completed for a diversion during a calendar year and should be filed before July 1 of the succeeding year. We assign each new Statement a unique number. Thereafter, we distribute pre-printed Supplemental Statement forms at three-year intervals for the owners to summarize their actual water use. For additional information, please refer to the enclosed pamphlet titled Statements of water Diversions and Use, July 1977.

SURNAME DWR 540 REV. 1/86

4-12-95

8€ 3910€

You indicated that the diversion covered by Statement of Water Diversion and Use No. S9333 may be on your property. Our records indicate the claim of riparian right covered by S9333 was filed by John E. Phelps. Enclosed is a copy of the form filed by Mr. Phelps in 1977 for the claim of riparian right. Also, enclosed is a duplicate copy of the 1994 Supplemental Statement form for S9333 which is supposed to be completed for a summary of water used during the three-year interval starting in 1992.

If you have any questions, please write or telephone me at the above number.

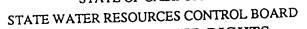
Sincerely,

ORIGINAL SIGNED BY Ronald M. Duff Associate WRC Engineer Permit and License Unit

Enclosures

RMDuff\lbitnoff 4/12/95 a:\rmd\S9333

STATE OF CALIFORNIA



DIVISION OF WATER RIGHTS

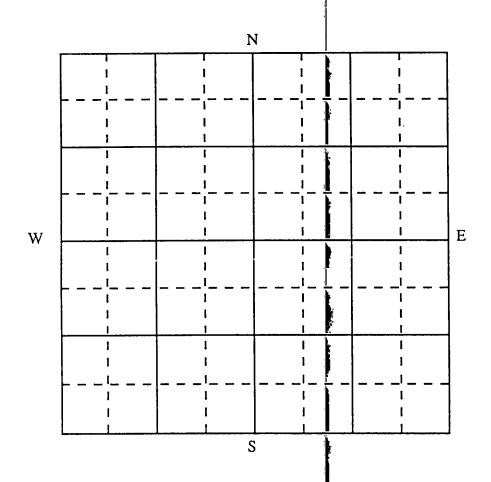
STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

A. :	Name of p	erson (divertir	g wate	r <u>I</u>	yons	Inve	stmer	nts,	Bill_	Lyons	s, Jr	•	
	Address	, 1	1	0555	Maze	Blvd	., Mc	dest	o, CA	953	58			
								Telep	hone:(209) _ 52	<u>2-1:76</u>	2	
В.	Water is v	ised un	der:	Χ	Riparia	ın clain	n;	Pre	1914 1	ight; _		Other	(explain)	
C.	Name of I	oody of	f water	at poin	t of div	ersion	sta	nisl	aus R	iver				
	Tributary	to S	an Jo	agui	n Riv	er Sy	stem							
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The location of the diversion point and the place of use may be sketched on this section grid. If it is used, please enter the section(s), township and range below and show any streams or other landmarks that will assist in identifying the area.



Section(s)			
Township	; Range	<u> </u>	B&M

INSTRUCTIONS:

A separate statement should be filed for each point of diversion.

A duplicate copy will be returned for your file.

Please send the completed statement to:

State Water Resources Control Board

Division of Water Rights

P. O. Box 2000

Sacramento, CA 95812-2000

up date

Ownership

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BO

DIVISION OF WATER RIGHTS

STATEMENT OF WATER DIVERSION (This is not a Water Right)

	This statement should be typewritten or legibly written in ink.
	Name of person diverting water Lyons Investments, Bill Lyons, Jr.
	Address 10555 Maze Blvd., Modesto, CA 95358
	Telephone:(<u>209</u>) <u>522-1762</u>
•	Water is used under: X Riparian claim; Pre 1914 right; Other (explain)
	Name of body of water at point of diversion <u>Stanislaus River</u>
	Tributary toSan Joaquin River System
	Place of diversion 1/4 of 1/4 Section 9, Township 35, Range 7E, MD B&M,
	Stanislaus County, and locate it on a print from a U.S.G.S. quad sheet or make a
	sketch on the section grid on the reverse side with regard to section lines and prominent local
	landmarks. Name of works
	Do you own the land at the point of diversion? YES □ NO ☑ Lease land
	Capacity of diversion works 12,000 cubic feet per second gallons per minute Capacity of storage reservoir N/A acre-feet
	Type of diversion facility: Gravity, Pump_s X
	Method of measurement: Weir_, Flume, ElectricMeter_X, Water Meter, Estimate X
·	State quantity of water used each month in gallons or acre-feet
	Total
<u>r</u> e	ar Jan. Feb. March April May June July Aug. Sept. Oct. Nov. Dec. Annual
8	X X X X X X X X X X X X X X X X X X X
	If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 177 acres of sedan hay, 177 acres of pumpkins, 250 cows 200 acres of grazing ground.
Ι.	Annual water use in recent years: Maximum N/A Minimum N/A gallons
	Purpose of use (what water is being used for) Irrigation, stock water
	1
•	General description or location of place of use (use sketch of section grid on reverse if you desire)
ζ.	Year of first use as nearly as knownEarly 1950's
	Name of person filing statement BILL LYONS, JI.
•	Name of person filing statement Bill Lyons, Jr. Position: General Partner Organization: Lyons Inves
'•	Position: General Partner Organization: Lyons Inves
. .	Position: General Partner Organization: Lyons Investable Address: 10555 Maze Blvd., Modesto, CA Telephone: 209-522-1762
•	Position: General Partner Organization: Lyons Inves Address: 10555 Maze Blvd., Modesto, CA Telephone: 209-522-1762 I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief
	Position: General Partner Organization: Lyons Investable Address: 10555 Maze Blvd., Modesto, CA Telephone: 209-522-1762
J.	Position: General Partner Organization: Lyons Invest Address: 10555 Maze Blvd., Modesto, CA Telephone: 209-522-1762 I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief

The location of the diversion point and the place of use may be sketched on this section grid. If it is used, please enter the section(s), township and range below and show any streams or other landmarks that will assist in identifying the area. N ı E W ı 1 ł S Section(s) Township _____; Range _ B&M INSTRUCTIONS: A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file. State Water Resources Control Board Please send the completed statement to:

Division of Water Rights

Sacramento, CA 95812-2000

P. O. Box 2000

STATE OF CALIFORNIA

S 9333

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD

O ..

This statement should be typewritten or legibly written in ink.

JUL 19 10 38 AH '77

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